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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/819,328	03/28/2001	Charles J. Horvath	SRT-006CP (5049/7)	4371

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EXAMINER	
MOORTHY, ARAVIND K	

ART UNIT	PAPER NUMBER
2131	

DATE MAILED: 02/24/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/819,328	HORVATH ET AL.	
	Examiner	Art Unit	
	Aravind K Moorthy	2131	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *27 December 2004*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-26* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-26* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *08 November 2004* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

1. This is response to the amendment on 8 November 2004.

2. Claims 1-26 are pending in the application.

3. Claims 1-26 have been rejected.

Continued Examination Under 37 CFR 1.114

4. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 8 November 2004 has been entered.

Response to Amendment

5. The examiner approves the amendment made to the specification. No new matter has been added.

6. The examiner approves the amendment made to the drawings. No new matter has been added.

Response to Arguments

7. Applicant's arguments with respect to claims 1-26 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

8. Claims 1-8, 10-17, 19, 21, 23 and 25 are rejected under 35 U.S.C. 102(e) as being anticipated by Clark et al U.S. Patent No. 6,442,588 B1.

As to claims 1 and 10, Clark et al discloses a method for dynamically extending a firewall, the method comprising the steps of:

(a) establishing by a local computer system a network connection with a remote computer system [column 3, lines 33-37];

(b) receiving at the local computer system through the network connection an identifier from the remote computer system [column 4, lines 7-16]; and

(c) extending the firewall by using the identifier at the local computer system to filter information received through the network connection with the remote computer system [column 4, lines 30-44].

As to claims 2 and 11, Clark et al discloses that step (a) comprises initiating a serial network connection with the remote computer system [column 3, lines 33-37].

As to claim 3, Clark et al discloses that step (a) comprises:

(a-a) contacting the remote computer system [column 4, lines 23-29];

(a-b) providing the remote computer system with authentication credentials [column 3, lines 33-37]; and

(a-c) receiving a serial network connection from the remote computer system in response to the authentication credentials [column 4, lines 46-58].

As to claims 4 and 13, Clark et al discloses that step (b) comprises:

(b-a) requesting an the identifier from the remote computer system [column 4, lines 7-16]; and

(b-b) receiving an the identifier in response to the request [column 4, lines 7-16].

As to claims 5 and 14, Clark et al discloses that the identifier from the remote computer system is an Internet Protocol (IP) address [column 4, lines 7-16].

As to claims 6 and 15, Clark et al discloses that step (c) comprises:

(c-a) receiving a packet of information from the remote computer system [column 8, lines 23-59];

(c-b) examining the packet of information to determine its destination address;

(c-c) comparing the destination address to the identifier received from the remote computer system [column 8, lines 23-59];

(c-d) accepting the packet if its destination address matches the identifier [column 8, lines 23-59]; and

(c-e) rejecting the packet if its destination address does not match the identifier [column 8, lines 23-59].

As to claims 7 and 16, Clark et al discloses that the remote computer system chooses the identifier from a pool of identifiers [column 4, lines 7-16].

As to claims 8 and 17, Clark et al discloses the step of:

(d) assigning the identifier received from the remote computer system to the local computer system [column 4, lines 30-45].

As to claim 12, Clark et al discloses that step (a) comprises:

(a-a) receiving a call from the remote computer system [column 3, lines 55-67];

(a-b) receiving authentication credentials from the remote computer system [column 3, lines 33-37]; and

(a-c) initiating a serial network connection with the remote computer system in response to the authentication credentials [column 4, lines 46-58].

As to claims 19 and 23, Clark et al discloses that the network connection comprises an Internet Protocol (IP) network connection [column 4 line 65 to column 5 line 13].

As to claims 21 and 25, Clark et al discloses that the local computer system and the remote computer system are connected via a local area network (LAN) [column 4, lines 1-6].

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

9. Claims 9 and 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Clark et al U.S. Patent No. 6,442,588 B1 as applied to claims 1 and 10 above, and further in view of Chang et al U.S. Patent No. 6,219,700 B1.

As to claims 9 and 18, Clark et al does not teach the steps of:

(e) receiving a second identifier from the remote computer system;

(f) assigning the second identifier to service management logic on the local computer system; and

(g) using the second identifier to filter information received through the network connection with the remote computer system.

Chang et al teaches steps of: receiving an identifier from the remote computer system; assigning the second identifier to service management logic on the local computer system; and using the second identifier to filter information received through the network connection with the remote computer system [column 9, lines 31-49].

Therefore, it would have been obvious to a person having ordinary skill in the art at the time the invention was made to have modified Clark et al so that the local PC would have

received a second identifier from the remote computer system. The second identifier would have been assigned to service management logic on the local computer system. The second identifier would have been used to filter information received through the network connection with the remote computer system.

It would have been obvious to a person having ordinary skill in the art at the time the invention was made to have modified Clark et al, as described above, by the teaching of Wardrop because the second identifier would have helped manage computer network services and make sure that users were not trying to access services to which they are not entitled to [column 3, lines 14-31].

10. Claims 20 and 24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Clark et al U.S. Patent No. 6,442,588 B1 as applied to claims 1 and 10 above, and further in view of Wardrop U.S. Patent No. 5,903,717.

As to claims 20 and 24, Clark et al teaches that the local computer system is a personal computer (PC) [column 3, lines 55-67].

Clark et al does not teach that the local computer system comprises a fault-tolerant computer system.

Wardrop teaches a local computer system that comprises a fault-tolerant computer system [column 6, lines 50-65].

Therefore, it would have been obvious to a person having ordinary skill in the art at the time the invention was made to have modified Clark et al so that the personal computer (PC) would have comprised a fault-tolerant computer system.

It would have been obvious to a person having ordinary skill in the art at the time the invention was made to have modified Clark et al, as described above, by the teaching of Wardrop because fault-tolerant computers offer significant operational and cost advantages. Such an invention would offer higher levels of performance and would cost less to manufacture than existing approaches based on radiation hardened chips. The invention could be used for remotely installed computer systems and other processors that are subjected to random failures or to a radiation environment which produces single event upsets at unacceptably high rates. Such radiation upset protection would discover and correct errors. It would be extremely beneficial if a fault tolerance method could be applied at a very low hardware level, for example, within a processor chip, instead of at the computer register or the output of computer modules. Such a system would fill a long felt need in specialized computer and satellite industries [column 4, lines 52-67].

11. Claims 22 and 26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Clark et al U.S. Patent No. 6,442,588 B1 as applied to claims 1 and 10 above, and further in view of Newton's Telecom Dictionary (hereinafter Newton).

As to claims 22 and 26, Clark et al teaches a serial connection [column 3, lines 33-37].

Clark et al is silent as to the type of serial connection. Clark et al does not teach that the serial network connection comprises a Point-to-Point Protocol (PPP) network connection.

Newton teaches PPP network connection and its benefits [page 594].

Therefore, it would have been obvious to a person having ordinary skill in the art at the time the invention was made to have modified Clark et al so that the serial connection would have been Point-to-Point Protocol (PPP) network connection.

It would have been obvious to a person having ordinary skill in the art at the time the invention was made to have modified Clark et al, as described above, by the teaching of Wardrop because a PPP connection features error detection and data compression. It also includes the ability to use graphical front ends such as Mosaic and Netscape [page 594].

Conclusion

12. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Aravind K Moorthy whose telephone number is 571-272-3793. The examiner can normally be reached on Monday-Friday, 8:00-5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ayaz R Sheikh can be reached on 571-272-3795. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Aravind K Moorthy AM
February 15, 2005

Gregory J. Lamarre
Primary Examiner